

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Adoption of a Resolution and Authorization to Execute a County Deed Conveying Property (Parcel Number 101.1R) to the Florida Department of Transportation Necessary to Improve State Road 436 at Red Bug Lake Road (Lake Howell Road to Wilshire Boulevard)

DEPARTMENT: Public Works

DIVISION: Engineering

AUTHORIZED BY: Gary Johnson

CONTACT: Warren Lewis

EXT: 5658

MOTION/RECOMMENDATION:

Adopt a Resolution and authorize the Chairman to execute a County Deed conveying property (Parcel Number 101.1R) to the Florida Department of Transportation necessary to improve State Road 436 at Red Bug Lake Road from Lake Howell Road to Wilshire Boulevard.

District 4 Carlton D. Henley

Jerry McCollum

BACKGROUND:

It has been determined that certain land identified as Parcel Number 101.1R now owned by Seminole County be acquired by the Florida Department of Transportation (FDOT) to improve State Road 436 at Red Bug Lake Road from Lake Howell Road to Wilshire Boulevard. FDOT has requested that Seminole County execute and deliver a County deed conveying all rights, title and interests that the County has in and to said lands for transportation purposes.

STAFF RECOMMENDATION:

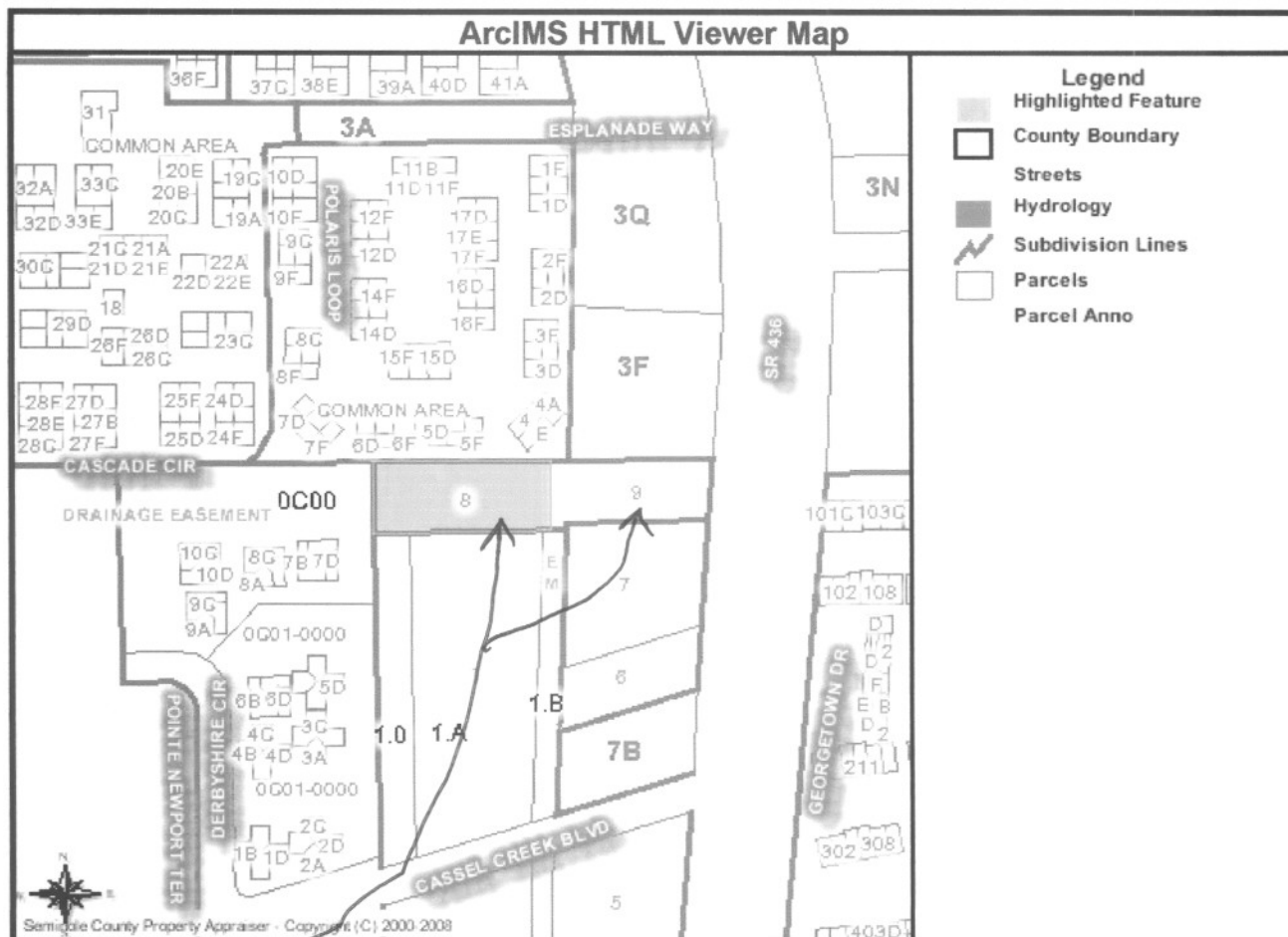
Staff recommends the Board adopt a Resolution and authorize the Chairman to execute a County Deed conveying property (Parcel Number 101.1R) to the Florida Department of Transportation necessary to improve State Road 436 at Red Bug Lake Road from Lake Howell Road to Wilshire Boulevard.

ATTACHMENTS:

1. Location Map-FDOT-Parcel Number 101.1R-County Deed-SR 436
2. Resolution-FDOT-Parcel Number 101.1R-County Deed-SR 436
3. County Deed-FDOT-Parcel Number 101.1R-County Deed 436

Additionally Reviewed By:

■ County Attorney Review (Matthew Minter)



Subject Parcels

RESOLUTION NO. 2010-R_____

RESOLUTION

**THE FOLLOWING RESOLUTION WAS ADOPTED AT
THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA,
ON THE _____ DAY OF _____, 2010.**

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 436, Section No. 77080, F.P. No. 419369-1, in Seminole County, Florida; and

WHEREAS, it is necessary that certain lands now owned by Seminole County be acquired by the State of Florida Department of Transportation; and

WHEREAS, the necessary lands are identified by the Florida Department of Transportation as Parcel Number 101.1R, Section No. 77080; and

WHEREAS, said property is not needed for county purposes; and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a County Deed in favor of the State of Florida Department of Transportation, conveying all right, title and interests that the county has in and to said lands required for transportation purposes, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the application of the State of Florida Department of Transportation for a County Deed is for transportation purposes which are in the public or community interest and for public welfare; and the land needed for transportation purposes is not needed for County purposes; that the deed in favor of the State of Florida Department of Transportation conveying all right, title and interests of Seminole County in and to said lands identified as Parcel Number 101.1R, has been drawn and executed by this Board of County Commissioners.

ADOPTED THIS _____ DAY OF _____, 2010.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

Attest:

Bob Dallari, Chairman

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Prepared under the direction of:
Charles F. Barcus, Program Manager II/Right-of-Way
December 3, 2009

Document Prepared By:
Warren Lewis, Right-of-Way Agent
Right-of-Way Section
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

Legal Description approved by:
Steve L. Wessels, P.L.S.
County Surveyor
Seminole County Engineering Division
520 W. Lake Mary Blvd., Suite 200
Sanford, Florida 32773

COUNTY DEED

Parcel No. 101.1R
Section 77080
State Road No. 436
County of Seminole, Florida

THIS DEED is made this _____ day of _____ 2010, by **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida, 32771, hereinafter referred to as the **GRANTOR**, and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, whose address is 719 South Woodland Boulevard, Deland, Florida, 32720, hereinafter referred to as the **GRANTEE** or **F.D.O.T.**

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does hereby grant, bargain, and sell to **GRANTEE**, its heirs and assigns forever, the following described land lying and being in the County of Seminole, State of Florida, to-wit:

Lot 8, (Less the West 60 feet), and Lot 9, SCHATT DEVELOPMENT, A REPLAT OF LOT 1, UNIT 1, AND LOT 7, UNIT 2, SCHATT DEVELOPMENT, according to the map or plat thereof, as recorded in Plat Book 22, Page 64, of the Public Records of Seminole County, Florida

The above Legal Description being the same for parcel 101 as shown on sheets 2 and 6 of FDOT Right-of-Way Map for S.R. 436, dated 2-28-08, Section 77080, FP ID No.419369-1.

Property Appraiser's Parcel Identification No's
21-21-30-512-0000-0080 & 21-21-30-512-0000-0090

Containing 1.608 acres, more or less.

GRANTOR, in accordance with Section 270.11, Florida Statutes, releases its interest in, and title in and to all the phosphate, minerals and metals that are or may be in, on, or under the above described land and all the petroleum that is or may be in, on, or under the above described land with the privilege to mine and develop the same, the **GRANTEE** having petitioned for said release. The reason justifying such release is that **GRANTEE** is an agency of the State of Florida, which state therefore loses no rights by such release.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatever of the said grantor, either in law or equity, to the said grantee forever.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of County Commissioners
of Seminole County, Florida

By: _____
Bob Dallari, Chairman

Date: _____

For the use and reliance
of Seminole County only.
Approved as to form and
legal sufficiency.

As authorized for execution
by the Board of County Commissioners
at their _____, 2010 regular meeting

County Attorney